

USEPA REGION I FACILITY INFORMATION

Inspector's Name: <u>DON GRANT</u>		FRP REGIONAL #: N/A	
Inspection Team Members: <u>JOE CANZANO</u>			
Type of Inspection: SPCC <input checked="" type="checkbox"/> FRP <input type="checkbox"/> SPCC and FRP <input type="checkbox"/> Follow-up Inspection <input type="checkbox"/> Plan Review <input type="checkbox"/>			
Name of Facility: <u>BROWN'S YACHT YARD</u>			
Facility Address: <u>139 EAST MAIN ST.</u>			
City: <u>GLOUCESTER</u>	County: <u>ESSEX</u>	State: <u>MA</u>	Zip: <u>01930</u>
Latitude: <u>42.611178</u>		Longitude: <u>070.649611</u>	
Nearest "Waters of the U.S.": <u>ADJACENT TO ATLANTIC OCEAN</u>			
Facility Contact: <u>PETER BENT</u>		Title: <u>PRESIDENT</u>	
Facility Contact: 2.		Title:	
Telephone Number: <u>617 281-3200</u>			
Name of Owner/Operator:			
Corporate Address:			
City: <u>SAME</u>		State:	Zip:
Corporate Contact:		Title:	
Telephone Numbers: 1. 2.			
Synopsis of business operations: <u>BOAT REPAIR, MARINA W/ FUEL DOCK</u>			
Facility is: <input type="checkbox"/> Unattended <input checked="" type="checkbox"/> Attended <input checked="" type="checkbox"/> 8 hrs <input type="checkbox"/> 24 hrs <input type="checkbox"/> Periodically <input type="checkbox"/> Other (Specify) <u>SEASONAL</u>			
How many employees at this Facility? <u>15</u>			
If unmanned, number of employees needed to operate the Facility? <u>—</u>			

FACILITY STORAGE INVENTORY

ITEM	TANK ID NUMBER	SHELL CAPACITY	PRODUCT	ITEM	TANK ID NUMBER	SHELL CAPACITY	PRODUCT
1.	* VST	6,000	GASOLINE	2.			
3	* VST	6,000	DIESEL	4.			
5.	AST	275	OFFICE #2	6.			
7.		275	F/G TENT KERD	8.			
9.		3 x 275	F/G TENT WASTE OIL	10.			
11.		275	WESTSHED WASTE OIL	12.			
13.		2 x 55	NEW LUBE	14.			
15.				16.			
17.				18.			
19.				20.			
21.				22.			
23.				24.			
25.				26.			

Total Bulk Above Ground Storage: 1,760 gallons

Total Bulk Below Ground Storage: 12,000 gallons * SPCC EXEMPT

Total Oil-Filled Equipment Storage — gallons

Total Facility Oil Storage Capacity: 13,760 gallons

Facility Diagram:

SEE ATTACHED MAP



Description of the pathways that an oil spill might follow, leading to the "Waters of the United States".

OVER PAVED YARD OR DOWN FLOOR DRAINS DIRECTLY
TO OCEAN

Memorandum of Understanding (check all applicable descriptions):			
<input checked="" type="checkbox"/> Non-Transportation Related		<input type="checkbox"/> Transportation Related	
<input checked="" type="checkbox"/> EPA	<input type="checkbox"/> MMS	<input type="checkbox"/> USCG	<input type="checkbox"/> RSPA/OPS
<input checked="" type="checkbox"/> Onshore <input type="checkbox"/> Off shore <input type="checkbox"/> Drilling <input type="checkbox"/> Production <input type="checkbox"/> Refining <input type="checkbox"/> In-plant processing <input type="checkbox"/> Waste Treatment <input type="checkbox"/> Storage <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input type="checkbox"/> Load/Unloading <input type="checkbox"/> Facility Piping	<input type="checkbox"/> Drilling <input type="checkbox"/> Production <input type="checkbox"/> Storage	<input type="checkbox"/> Vessel/shore transfer <input type="checkbox"/> Oily ballast tanks <input type="checkbox"/> Tank washings from vessels	<input type="checkbox"/> Inline/Breakout Tanks: (for continuous pipeline operation)
SPCC Part 112.1(b) <input type="checkbox"/> Drilling	<input type="checkbox"/> Producing <input type="checkbox"/> Gathering <input checked="" type="checkbox"/> Storing	<input type="checkbox"/> Processing <input type="checkbox"/> Refining <input checked="" type="checkbox"/> Transferring	<input checked="" type="checkbox"/> Distributing <input checked="" type="checkbox"/> Consuming oil/oil products
RESPONSE			
Facility Type: <input type="checkbox"/> Bulk storage <input type="checkbox"/> Gas Station /Convenience <input type="checkbox"/> Petroleum Distributor	<input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Utilities <input type="checkbox"/> Local Gov. <input type="checkbox"/> State Gov. <input type="checkbox"/> Federal (Non-Military)	<input type="checkbox"/> Federal (Military) <input type="checkbox"/> Air Taxi (Airline) <input type="checkbox"/> Aircraft owner <input type="checkbox"/> Auto Dealership <input type="checkbox"/> Contractor <input type="checkbox"/> Farm	<input type="checkbox"/> Railroad <input type="checkbox"/> Residential <input type="checkbox"/> Trucking /Transport <input type="checkbox"/> Trustee/Native American <input type="checkbox"/> Other:

___ The Oil Pollution Prevention Regulations at 40 CFR Part 112 do not appear to be applicable to this facility.

☒ The Oil Pollution Prevention Regulations at 40 CFR Part 112 are applicable to this facility.

NO PLAN.

If your facility has been found to be in noncompliance with the provisions of 40 CFR Part 112, you are hereby required to submit as soon as possible, a statement detailing the actions taken by the facility to correct the deficiencies specified in the attached. If, in order to correct the deficiencies, your facility was required to prepare an SPCC plan, or amend an existing SPCC plan, you are also required to submit a copy of such new or revised plan. If completion of the plan is not feasible within thirty (30) days, you are hereby required to submit a detailed schedule of when the SPCC plan or revision thereof will be completed. The schedule should include the name and address of the registered professional engineer certifying the plan. If the plan calls for the construction of secondary containment at the facility, the schedule should include construction milestone dates. This information should be sent to the EPA inspector listed below at the following address:

Office of Environmental Stewardship
 Mail Code: SEW
 U.S. Environmental Protection Agency
 New England Region
 One Congress Street
 Boston, MA 02114 - 2023

Please be advised that the facility's noncompliance with the Oil Pollution Prevention regulations at 40 CFR Part 112 constitutes a violation of the Clean Water Act for which both injunctive relief and penalties can be sought. Under the Clean Water Act, the facility is subject to penalties up to \$27,500 per day for violations occurring from January 31, 1997, through March 15, 2004, and up to \$32,500 per day for violations occurring after March 15, 2004.

EPA reserves its right to take an enforcement action pursuant to the Clean Water Act, including the right to seek penalties, for any violations detected at the above-referenced inspection. Although preparing and/or revising an SPCC plan and submitting it to EPA does not preclude EPA from seeking penalties for violations of the Clean Water Act, your prompt response towards coming into full compliance with the Oil Pollution Prevention regulations will be taken into account in determining EPA's enforcement response.

EPA Inspector Signature: Donald A. Grant Date: 7-31-07

EPA Inspector Printed Name: DONALD A. GRANT Title: ENV. PROT. SPEC



RESPONSE

I acknowledge having received an SPCC inspection by EPA on this date.

Company Contact Signature: Peter Bent Date: July 31, 2007

Company Contact Printed Name: Peter Bent Title: Pres.